

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 9-11 are rejected under 35 U.S.C. 112, first paragraph.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph.

In connection with the Examiner's rejection of claims 9-11 under 35 U.S.C. 112, first paragraph, applicant wishes to make the following remarks.

The Examiner indicated that the specification is enabling for the suction operation of the holding element 7 turning in direction of the arrow shown in Figure 1 to cause the suction cup to engage its surface.

In the Examiner's opinion the specification does not reasonably provide enabling for rotating attaching element 1 in the direction of the arrow A in Figure 6. The Examiner said that there is no discussion in the specification of how such operational turning of the attaching element 1 in Figure 6 and in the direction of the arrow A will cause the attaching element

1 to be attached to a surface, and the Examiner originally thought that the attaching element was no. 7 in Figure 1.

In connection with the Examiner's questions related to this issue, applicant is pleased to explain the operation of the inventive device in more details. Figure 6 of the drawings constitutes a part of the original disclosure, and therefore it has to be considered as the important illustration of the inventive device which provides a corresponding enablement. Arrow A in Figure 6 that a user, before all other operations, can turn the attaching element, 1, 2, around the axis A, before the attachment element 1 with its elastic member 2 are placed against a surface for attachment. Then the subsequent operations are performed for providing the attachment to the surface. The turning of the attaching element 1 in Figure 6 in direction of the arrow A does not cause the attaching element 1 to be attached to a surface, but instead the attaching element 1 is just positioned in a corresponding position around the arrow A. The specification has been slightly amended that the attachment element 1 with its inner elastic member 2 are turned in a direction of arrow A in Figure 6, which change does not constitute any new matter since this is clearly illustrated in Figure 6 by the arrow A.

It is therefore believed that the above provided change in the specification and the above presented explanations will satisfy the

Examiner's requirements with respect to the rejection of claims 9-11 under 35 U.S.C. 112, first paragraph, and this rejection should be considered as no longer tenable and should be withdrawn.

In connection with the Examiner's rejection of claim 10, applicant amended claim 10 in compliance with the Examiner's requirements. It is believed that the Examiner's grounds for the rejection of claim 10 under 35 U.S.C. 112, second paragraph should also be considered as not tenable and should also be withdrawn.

Applicant also submitted claims 12 and 13, two additional independent claims with a slightly different scope.


It is respectfully submitted that the claims currently on file should be considered as clearly and patentably distinguishing over the art, definite, and patentable.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in

formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-243-3818).

Respectfully submitted,

  
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*Extension Request*  
Please extend the term for  
response by 2 months and  
charge the fee to account  
of undersigned 26-0085

*John*  
*Thurmon*

Please charge the fee  
for extra claim to 26-0085

*JS*